

view of the foregoing amendments and following remarks. Claims 1, 3, 4, 6 and 7 are in the application. Claims 2 and 5 have been canceled. Claims 1, 4, and 6 have been amended. No new matter has been added.

The Examiner rejected claims 1-7 under 35 U.S.C. §112, stating that several terms are unclear. Specifically:

A. The Examiner stated that several terms in claims 1, 4 and 6 were redundant. Applicant has deleted the phrases "and with a (high/medium/low) solids content" in the claims to delete any redundancy.

B. The Examiner stated that it was unclear whether some of the features were referring to the paint material or the acrylic resin. Applicant has amended claims 1, 4 and 6 to clarify that the acrylic resin is being referred to.

C. The Examiner stated that the terms "number mean molecular weight" and "number average molecular weight" were inconsistent, and also stated that there was no support in the specification for these terms. Applicant has deleted these terms from claims 1 4 and 6 and has canceled claims 2 and 5.

D. The Examiner stated that the phrase "united only immediately prior to their processing" was awkward. Applicant has

amended claims 1, 4 and 6 in accordance with the Examiner's suggestion.

E. The Examiner stated that the phrase "amounts to" was awkward. Applicant has amended claims 1, 4 and 6 to correct this.

F. The Examiner stated that the phrase "comprising of a propane/butane mixture" was a grammatical error. Applicant has amended claim 4 to delete "of".

Accordingly, Applicant submits that claims 1. 3. 4. 6 and 7 as amended are patentable over the prior art, taken either singly or in combination. Early allowance of the amended claims is respectfully requested.

Respectfully submitted,
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CERTIFICATE OF FACSIMILE TRANSMISSION

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I hereby certify that this correspondence is being sent by facsimile-transmission to the Assistant Commissioner for Patents, Washington, D.C. 20231, on July 30, 2002


Elizabeth Collard Richter

EXHIBIT A**Marked-up Copy of Pending
Claims 1, 2 and 4-6 Showing the Changes Made**

1. (Twice Amended) An aerosol preparation for two-component paint spray cans, comprising:

paint material comprising at least one HS (high solid) acrylic resin containing OH-groups [and with a high solids content and a number mean molecular weight of < 5000], wherein said [paint material] acrylic resin has no styrene and an OH-number of < 150;

a hardener comprising an aliphatic polyisocyanate, said paint material and hardener being filled in two different containers within a spray can, and [united] combined only immediately [prior to their processing] before their application, and

a propellant comprising a mixture of propane and butane sprayed jointly with the paint material and hardener from the spray can, such that the weight ratio of paint material and hardener to propellant [amounts to] is 75:25 to 70:30.

4. (Twice Amended) An aerosol preparation for two-component paint spray cans, comprising:

paint material comprising at least one MS (medium solid) acrylic resin containing OH-groups [and having a medium solids

content and a number average molecular weight of < 15000], said [paint material] acrylic resin having [a low content of styrene and] an OH-number of between 130 and 140;

a hardener consisting of an aliphatic polyisocyanate, said paint material and hardener being filled in two different containers within a spray can and [united] combined only immediately before their [processing] application, and

a propellant comprising [of] a propane/butane mixture for spraying said paint material and hardener from the spray can, wherein the weight ratio of paint material and hardener to propellant [amounts to] is 75:25 to 70:30.

6. (Twice Amended) An aerosol preparation for two-component paint spray cans, comprising:

paint material comprising at least one LS (low solid) acrylic resin containing OH-groups [and] , said acrylic resin having [a low solids content and a higher styrene content, and with a number average molecular weight of > 15000 and] an OH-number of < 80;

a hardener comprising an aliphatic polyisocyanate, said paint material and hardener being filled in two different

containers within a spray can and [united] combined only immediately before their [processing] application; and

a propellant consisting of a propane/butane mixture for jointly spraying the paint material and hardener from the spray can, wherein the weight ratio of paint material and hardener to propellant [amounts to] is 75:25 to 70:30.